



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/481,572
Applicant : SHAN et al.
Filed : January 11, 2000
TC/A.U. : 1654
Examiner : M. Meller

Docket No. : 2968-160
Customer No. : 06449
Confirmation No. : 5800

INFORMATION DISCLOSURE STATEMENT

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Under the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant submits herewith information that the Office may wish to consider in examination of the subject application. Materials submitted for consideration are listed on the attached form PTO-1449.

Concise explanations of the relevance, as it is presently understood by the undersigned, of the references not provided in English or with an English abstract, are provided below.

Reference AF (Lehrl) describes a study that tests the influence of Hypericum extract LI 160 on depressions in general as well as on the ability of depressive patients to concentrate and pay attention. The treated patients showed a statistically significant

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increase in their mental ability/productivity as well as an increase signifying a statistical trend with respect of the speed with which they could process information. In the fourth week of treatment, the patients were also less irritable and restless. Treated patients are also reported to be able to reach their pre-depression productivity again.

Reference AI discloses the use of phytotherapeutica, in particular Ginkgo-biloba-preparations, in the context of deficiencies in mental capacity and associated disturbances. The article notes in this context different types of dementia, including Alzheimer type and multi-infarct type dementia. Symptoms associated with dementia are described to include depressions and somatic ailments such as dizziness.

The article also notes the use of Hypericum perforatum in the context of depressions.

Reference AJ adds that depressions treatable with Hypericum perforatum extract might be age associated.

References AC and AK are listed for the Examiner's information. The dates of these publications could not be determined at the time of this submission. However, their listing in the attached 1449 should not be construed as an admission that these documents constitute prior art.

Pursuant to 37 C.F.R. § 1.17(p), a check for \$180.00 is enclosed. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-2135. An additional copy of this document is enclosed.

Respectfully submitted,

By

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <div style="text-align: right; margin-top: -20px;">  </div>				<i>Complete if Known</i>			
				Application Number		09/481,572	
				Filing Date		January 11, 2000	
				First Named Inventor		SHAN et al.	
				Group Art Unit		1654	
				Examiner Name		M. Meller	
Sheet	1	of	2	Attorney Docket Number	2968-160		

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee of Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³ Code	Number ⁴	Kind ⁵ (if known)			
	AA	WO	97/13489		Dr. Willmar Schwabe GmbH & Co.	04-17-1997	AB
	AB	EP	0599 307	B1	Dr. Willmar Schwabe GmbH & Co.	06-01-1994	AB
Examiner Signature					Date Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code.

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

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				Application Number	09/481,572
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				Group Art Unit	1654
				Examiner Name	M. Meller
2	of	2	Attorney Docket Number 2968-160		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AC	John S. James, "(ATN) Hypericum: Common Herb Shows Antiretroviral Activity", Aids Treatment News No. 063 (August 26, 1988), 6 pgs.	
	AD	L. Lee Coyne, Ph.D., St. John's Wort, Nature's Prozac (publication date unknown) 2 pgs.	
	AE	Johnson, D. et al., "Effects of Hypericum Extract LI 160 Compared with Maprotiline on Resting EEG and Evoked Potentials in 24 Volunteers", J. Geriatr. Psychiatry Neurol. (1994), Vol. 7, (Suppl. 1) pp. S44-S46	
	AF	Lehrl, S., "Psychometrische Messung der Leistungskapazität unter antidepressiver Therapie mit Johanniskraut-Extrakt", Nervenheilkunde (1991) Vol. 10, pp. 313-315	
	AG	Linde, Klaus, et al. "St. John's wort for depression—an overview and meta-analysis of randomised clinical trials", BMJ (August 3, 1996) Vol. 313, pp. 253-258	
	AH	V. Schulz, "Klinische Studien mit Psycho-Phytopharmaka", Zeitschrift für Phytotherapie, Vol. 18, (1997) pp. 141-154	AB
	AI	"Pflanzliche Arzneien Score im Hirnleistung", Pharmakotherapie für die Praxis, Fortschr. Med. 111, Jg. (1993) Nr. 6, p. 50	
	AJ	"Nootropika: BGA verlangt Therapie-Verbund", Pharmakotherapie für die Praxis, Fortschr. Med. 112 Jg. (1994) Nr. 4, p. 48	
	AK	"St. John's Wort" from http://nutrifocus.com as of 2/10/04 (publication date unknown)	
Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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